

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS**

**ACUITY, A Mutual Insurance  
Company,**

**Plaintiff,**

**No. 3:16-cv-00865-DRH-SCW**

**v.**

**JAMES SWAN and  
HARDIN READY MIX, INC.,**

**Defendants.**

**ORDER OF DISMISSAL**

This matter comes before the Court on the parties' Stipulation of Dismissal (Doc. 41). The court finds the Stipulation of Dismissal of the entire complaint against Defendant, Hardin Ready Mix, Inc., should be and is hereby **GRANTED**.

**IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED** that the claims of Plaintiff against Defendant, Hardin Ready Mix, Inc., are hereby dismissed without prejudice. Each party to bear their respective costs. The Clerk is directed to close the file.

**IT IS SO ORDERED.**

Signed this 6th day of July, 2017.

*David R. Herndon*



Digitally signed by  
Judge David R. Herndon  
Date: 2017.07.06  
13:11:17 -05'00'

**UNITED STATES DISTRICT JUDGE**